

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF OKLAHOMA**

THOMAS A. SHURLEY,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 14-cv-00172-KEW
)	
ROLLING HILLS HOSPITAL, LLC,)	Magistrate Judge West
)	
Defendant.)	Jury Demand

DEFENDANT’S WITNESS AND EXHIBIT LIST

Defendant Rolling Hills Hospital, LLC (“Rolling Hills”) makes these pretrial disclosures pursuant to Rule 26(a)(3) of the Federal Rules of Civil Procedure, the Local Rules of Court, and the Scheduling Order entered in this case [Docket No. 18]. As discovery is ongoing and depositions remain to be taken, Rolling Hills reserves the right to supplement this witness and exhibit list as necessary through 30 days before trial consistent with Federal Rule of Civil Procedure 26(a)(3)(B).

A. Witness List

In addition to Plaintiff and other individuals identified by Plaintiff in his pretrial disclosures, Rolling Hills identifies the following individuals of whom it is currently aware who are likely to be called as witnesses. Except where otherwise noted, the following may be contacted through undersigned counsel. Rolling Hills reserves the right to supplement this list as discovery progresses.

1. **Selena Stockley** (Rolling Hills Chief Executive Officer) c/o Rolling Hills’ Attorneys. Ms. Stockley will likely testify regarding her communications with Plaintiff, Plaintiff’s job duties, Plaintiff’s performance, and Plaintiff’s discharge. She will also likely

testify regarding Rolling Hills' compliance obligations, policies, procedures, and information related to preparing the facility for Joint Commission surveys.

2. **Duane Harris** (Rolling Hills Human Resources Director) c/o Rolling Hills' Attorneys. Mr. Harris will likely testify regarding Rolling Hills' compliance obligations, policies, and procedures - including but not limited to its equal employment opportunity, anti-discrimination, anti-harassment, anti-retaliation, and employee leave policies.

3. **Roger Dam** (Consultant, President RLM Services). Phone: (404) 509-5611. Mr. Dam will likely testify regarding his visit to Rolling Hills in 2012 for a site inspection in preparation for Rolling Hills' upcoming Joint Commission survey, and his findings regarding the same.

4. **Christi Stick** (Rolling Hills Infection Control Officer) c/o Rolling Hills' Attorneys. Ms. Stick will likely testify regarding her communications with Plaintiff, as well as Rolling Hills' policies, procedures, and compliance obligations - including but not limited to compliance obligations regarding infection control permits.

5. Witnesses identified through the course of discovery.

6. Other individuals as may be necessary for rebuttal or impeachment.

B. Exhibit List

Response: In addition to any documents identified by Plaintiff in his pretrial disclosures, Rolling Hills identifies the following documents it may use as exhibits at trial. Rolling Hills reserves the right to supplement this list as discovery progresses.

1. Plaintiff's personnel file and other documents relating to his employment - including documents related to his performance and discharge.

2. Documents related to and generated as the result of the 2009 and 2012 Joint Commission surveys, including documents related to inspections and walk-throughs conducted in preparation for the same.

3. Documents produced by the EEOC in response to a Freedom of Information Act request concerning Plaintiff's charge of discrimination.

4. Documents evidencing Rolling Hills' good faith efforts to comply with anti-discrimination and anti-retaliation laws, including relevant portions of Rolling Hills' Employee Handbook, relevant employment policies, and employee acknowledgment of receipt of such policies.

5. Documents evidencing Plaintiff's efforts to obtain employment following his employment at Rolling Hills and any compensation or other remuneration from such employment or other sources

6. Documents evidencing Plaintiff's medical condition at any time relevant to his claim, including following his employment at Rolling Hills.

7. Documents identified through the course of discovery.

8. Documents identified by Plaintiff to which Defendant has no objection.

s/Brian A. Pierce

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CERTIFICATE OF SERVICE

I hereby certify that on February 18, 2015, I served the foregoing document through the Court's Electronic Filing System upon the following:

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